

## **REMARKS**

Applicants respectfully request reconsideration and allowance in view of the foregoing amendment and the following remarks. Applicants amend claims 1, 3-11, 15-16 and 22 without prejudice or disclaimer.

### **Rejection of Claims 1, 3-6, 10, 11, 15-16 and 22 Under 35 U.S.C. §103(a)**

The Office Action rejects claims 1, 3-6, 10, 11, 15-16 and 22 under 35 U.S.C. §103(a) as being unpatentable over Crepy et al. (U.S. Patent No. 6,622,121) (“Crepy et al.”) in view of Richardson et al. (U.S. Patent No. 5,999,896) (“Richardson et al.”) in view of Raud et al. (U.S. Patent No. 6,125,341) (“Raud et al.”). Applicant amend claim 1 to more clearly define the invention. Applicants amend the word “crated” in claim 1 to “created” in order to correct a typographical error, not for patentability purposes. Applicants further amend the word “Claim” to “claim” in claims 3-11 and 15-16 for consistency and not for patentability.

Applicants amend claim 1 to recite categorizing the identified one or more words, phrases or utterances by grammar type, whereby all of the identified one or more words, phrases, or utterances of the same grammar type are grouped together in a grammar sub-tree. The amended claim language restricts the grouping together in a grammar sub-tree to those words, phrases and utterances of the same grammar type which are identified in the preceding step.

Richardson et al. do not teach categorizing utterances by grammar type and grouping together the same utterances into a grammar sub-tree. In fact Richardson et al. rely on a previously established table of potentially confused words. Without that table as a starting point or as a preexisting condition, Richardson et al. would cease to operate according to its established functions. In contrast to Richardson et al., claim 1 as amended loads one or more spoken words, phrases, or utterances into a memory location, identifies one or more spoken

words, phrases, or utterances, then categorizes the identified words, phrases, or utterances by grammar type by grouping all of the one or more spoken words, phrases, or utterances together in a grammar sub-tree. In other words, claim 1 recites grouping the *identified* spoken words, phrases, or utterances in a grammar sub-tree rather than using a previously established table of words as taught in Richardson et al. As currently amended, the broadest reasonable interpretation of claim 1 does not include the teachings of Richardson et al. Therefore, Richardson et al. fail to teach or suggest all the limitations of claim 1.

Furthermore, Richardson et al. do not teach any such grouping of utterances into one or more grammar sub-trees. In Richardson et al., the only "grouping" takes place in advance, namely, by setting up the possibly-confusing word table. Richardson et al. have no need for identifying, categorizing, or grouping spoken words, phrases, or utterances as recited in claim 1. Richardson et al. would have provided little or no guidance to one of ordinary skill in this regard. Accordingly, Applicants submit that the combination of Crepy et al., Richardson et al., and Raud et al. do not teach all the limitations of claim 1. Applicants submit that claim 1 is patentable over these references. Applicants also submit that claim 22 is patentable because claim 22 is amended similarly to claim 1. Applicants submit that claims 3-6, 10-11, and 15-16 are patentable inasmuch as they depend from claim 1, which is patentable as described above. Accordingly, Applicants respectfully request that the 35 U.S.C. §103(a) rejection be withdrawn.

**Rejection of Claim 7 Under 35 U.S.C. §103(a)**

The Office Action rejects claims 7 under 35 U.S.C. §103(a) as being unpatentable over Crepy et al. in view of Richardson et al. and Raud et al. and further in view of Bickley et al. (U.S. Patent No. 7,013,276) ("Bickley et al."). Applicants submit that Bickley et al. do not

remedy the deficiencies pointed out above. Applicants therefore submit that claim 7 is patentable and respectfully request that the 35 U.S.C. §103(a) rejection be withdrawn.

**Rejection of Claim 17 Under 35 U.S.C. §103(a)**

The Office Action rejects claims 17 under 35 U.S.C. §103(a) as being unpatentable over Crepy et al. in view of Richardson et al. and Raud et al. and further in view of Kennewick et al. (U.S. Patent Publication No. 2004/0044516) (“Kennewick et al.”). Applicants submit that Kennewick et al. do not remedy the deficiencies pointed out above. Accordingly, Applicants submit that based on the discussion above that claim 17 is patentable and respectfully request that the 35 U.S.C. §103(a) rejection be withdrawn.

**Rejection of Claims 8 and 23 Under 35 U.S.C. §103(a)**

The Office Action rejects claims 8 and 23 under 35 U.S.C. §103(a) as being unpatentable over Crepy et al. in view of Richardson et al. and Raud et al. and further in view of Kennewick et al. Applicants submit that Kennewick et al. do not remedy the deficiencies pointed out above. Accordingly, Applicants submit that based on the discussion above that claim 17 is patentable and respectfully request that the 35 U.S.C. §103(a) rejection be withdrawn.

**Rejection of Claims 9 and 24 Under 35 U.S.C. §103(a)**

The Office Action rejects claims 9 and 24 under 35 U.S.C. §103(a) as being unpatentable over Crepy et al. in view of Richardson et al. and Raud et al. and further in view of Roberts et al. (6,999,930) (“Roberts et al.”). Applicants submit that Roberts et al. do not remedy the deficiencies pointed out above. Accordingly, Applicants submit that based on the discussion

above that claim 17 is patentable and respectfully request that the 35 U.S.C. §103(a) rejection be withdrawn.

### CONCLUSION

Having addressed all rejections and objections, Applicant respectfully submits that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited. If necessary, the Commissioner for Patents is authorized to charge or credit the Novak, Drue & Quigg, LLP, Account No. 14-1437 for any deficiency or overpayment.

Respectfully submitted,

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By: 

Correspondence Address:  
Thomas A. Restaino  
Reg. No. 33,444  
AT&T Corp.  
Room 2A-207  
One AT&T Way  
Bedminster, NJ 07921

Thomas M. Isaacson  
Attorney for Applicant  
Reg. No. 44,166  
Phone: 410-286-9405  
Fax No.: 410-510-1433